



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/535,733	03/27/2000	Jeffrey Alan Millington	60,314-110	4155
33308	7590	03/07/2006	EXAMINER	
LOWE HAUPTMAN GILMAN & BERNER, LLP			AMINI, JAVID A	
1700 DIAGNOSTIC ROAD, SUITE 300			ART UNIT	
ALEXANDRIA, VA 22314			PAPER NUMBER	

2672

DATE MAILED: 03/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/535,733

Applicant(s)

MILLINGTON ET AL.

Examiner

Javid A. Amini

Art Unit

2672

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) _____ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 3-9, 11-15, 17, 18 and 22-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/16/2005 has been entered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3-9, 11-15, 17-18, and 22-33 rejected under 35 U.S.C. 103(a) as being unpatentable over DeLorme et. al. U.S. Patent 5,948,040.

1. Claim 4,

Regarding claim 4, DeLorme in figs. 1B-C and 5D illustrates displaying cartographic features on a video display 111, in fig. 1A. Part "a" of claim 4 claims determining an operational mode of the navigation system that includes first (i.e. on-road mode) and second (i.e. off-road mode) operational modes. DeLorme in fig. 9 illustrates an important alternative or additional of TRIPS that permits mobile users 901, at remote locations (for example, en route in vehicles or on foot), two-way access by wireless communications 903 to engage the novel travel

Art Unit: 2672

reservation information planning system of one or more TRIPS 904 communications facilities or service bureaus. Fig. 9 includes a wireless communication unit or WCU 907, typically handheld 906 or mounted or used in a vehicle 905 like an automobile. The WCU 907 preferably includes a position sensor unit, e.g., GPS sensor 908, which provides data on the user's location, speed and travel direction and the current time--for example, by signals 909 from one or more global positioning satellites 910. The portable or mobile WCU 907 also preferably includes various simplified user INPUT means 914, 916, 918 and 920 designed for easy use while actually traveling or en route e.g. in a vehicle 905 or walking about 906; similarly simplified user OUTPUT means are shown at 925, 927, 929 and 931. TRIPS WCUs 907 facilitate two way communications at 903 of standard TRIPS data packets 939 with at least one TRIPS travel information and service provider 904. In sum, fig. 9 outlines the TRIPS invention enabling users to get travel information and/or make travel arrangements "on the go", walking in a city, from their vehicle, during an off-road expedition and so forth. DeLorme in fig. 9 illustrates for convenient use en route, e.g., in a vehicle or on foot, the WCU 907 preferably provides simplified or "push-button" input means at 914, 915, 916, 918 and 920, for example to make TRIPS inquiries from a moving car, as described hereinafter. On the road or from other remote places, the TRIPS users at 901 transmit and receive characteristically structured TRIPS data packets 939--that typically concern their immediate needs for travel information or arrangements e.g.: reservations and/or entitlement to a discount for the next meal at a roadside eating place or lodgings for the night ahead; current information about goods/services available nearby and/or up ahead along the user's intended or predicted route of travel; emergency services requests, such as vehicle repair or towing, ambulance, police or fire; related travel

Art Unit: 2672

directions; and so forth. The TRIPS service bureau or provider 904 in fig. 9 receives the simplified input or remote queries, which get processed by series or sequences of TRIPS geographic, temporal, topical and accounting operations--as generally delineated heretofore with particular reference to fig. 4. DeLorme at col. 1 lines 54-56 teaches part "b" in claim 4 that selecting a desired cartographic entity based upon the operational mode, as follows: those systems have involved the use of computer-based databases combined with software to create map displays of selectable and variable levels of detail.

DeLorme does not explicitly specify as the claimed invention selecting more detailed desired cartographic entity in the second operational mode i.e. off-road mode than the first operational mode i.e. on-road mode.

However, DeLorme in fig. 9 illustrates enabling users to get travel information and/or make travel arrangements "on the go", walking in a city, from their vehicle, during an off-road expedition and so forth. DeLorme in fig. 1B-3 illustrates a detail map that represents more detailed information about that location e.g., "Jolly Ginger's".

It would have been obvious to one of ordinary skill in the art at the time of the invention to substitute applicant's described structure, "off-road" with DeLorme's "on the go" i.e. walking in a city with more detailed information that illustrated in figs. 1B-3 and 5D. Also to substitute applicant's described structure, "on-road" with DeLorme's fig. 1B-1, i.e. represents directions on the road. This modification of the reference would have been beneficial to the user unlike other navigational systems is significantly less costly, and can be used as a portable device too.

Claim 3,

Art Unit: 2672

DeLorme in fig. 1B-1 illustrates less detailed desired cartographic entity as the claimed, as follows: wherein the less detailed desired cartographic entity is no cartographic entity.

Claim 5,

DeLorme in fig. 1B-3 illustrates a detailed map i.e. when the navigation system is in off-road also it can be displayed when it's in on-road. See fig. 9B, 907 is off-road in respect to 905.

Claim 6,

The limitations of this claim are illustrated in fig. 5D, see the overview at right side of the fig. 5D, i.e. less detailed desired cartographic entity, and at left side of the fig. 5D shows similar with more detailed desired cartographic entity.

Claims, 7-9, 11, 17 and 25

The claimed invention of independent claims 7-9, 11, 17 and 25 are substantially similar to the independent claim invention of claim 4, and then the rejection of claim 4 can be applied to the rejection of claims 7-9, 11, 17 and 25.

Claim 12,

Regarding claim 12, "wherein the operation mode comprises on-road guidance mode"; DeLorme in figs. 1B-(1-3) and fig. 5D illustrates the claimed features.

Claim 13,

Regarding claim 13, "wherein the first and second intensities are selected a color palette having a plurality of colors". It's obvious that the features of the claimed invention are considered as data attributes, which are well known in the art of geographic information systems.

Claim 14,

Art Unit: 2672

Regarding claim 14, "wherein each of the plurality of colors are defined by blue, green, and red values with the first intensity having first blue, green, and red values and the second intensity having second blue, green, and red values that are a percentage of the blue, green, and red values, respectively". It's obvious that the features of the claimed invention are considered as data attributes, which are well known in the art of geographic information systems.

Claim 15,

Regarding claim 15, "wherein the first intensity is approximately twenty percent less than the second intensity wherein the first blue, green, and red values are approximately twenty-five percent less than the second blue, green, and red values, respectively". DeLorme does not explicitly specify %25 intensity less than the other operational mode. However, DeLorme at col. 22, lines 38-40 teaches TRIPS outputs typically and preferably include various nominal, numerical, ideographic, iconic, distinctively colored or sounding symbols to indicate certain subject-matter or substantive content. Also at cols. 23 and 24, lines 63-67;1-5 respectively, teaches that DeLorme's work is not restricted to the input terminology or the technology illustrated in FIG. 1C. Other equivalent, user-friendly and easy to remember icons, symbols, sounds, colors, words, or diverse communicative devices could be substituted for "WHERE?", "WHEN?", "WHAT/WHO?" and "HOW?"--as well as sub-menu titles detailed hereinafter--in order to convey or evoke requests for characteristic geographic, temporal, topical, and accounting information.

Claim 18,

The claimed invention of claim 18 is substantially similar to the claim invention of claim 3, and then the rejection of claim 3 can be applied to the rejection of claim 18.

Art Unit: 2672

Claim 22,

DeLorme in fig. 9 illustrates speed and travel direction as detected and/or computed by the GPS attachment 908 on the remote WCU 907.

Claim 23,

DeLorme in fig. 3 illustrates that one or more map database(s), or geographic information system(s) (GIS) including many scales and levels of resolution or detail, spanning global or national areas, with regional map information, or even closer scale neighborhood, large facility or typical building floor plan layouts.

Claims 24 and 26-27,

DeLorme in figs. 1B-(1-3) and fig. 5D illustrates the claimed features.

Claim 28,

It's obvious that the features of the claimed invention are considered as data attributes, which are well known in the art of geographic information systems.

Claim 29,

It's obvious that the features of the claimed invention are considered as data attributes, which are well known in the art of geographic information systems.

Claim 30,

DeLorme does not explicitly specify %25 intensity less than the other operational mode.

However, DeLorme at col. 22, lines 38-40 teaches TRIPS outputs typically and preferably include various nominal, numerical, ideographic, iconic, distinctively colored or sounding symbols to indicate certain subject-matter or substantive content. Also at cols. 23 and 24, lines 63-67;1-5 respectively, teaches that DeLorme's work is not restricted to the input terminology

Art Unit: 2672

or the technology illustrated in FIG. 1C. Other equivalent, user-friendly and easy to remember icons, symbols, sounds, colors, words, or diverse communicative devices could be substituted for "WHERE?", "WHEN?", "WHAT/WHO?" and "HOW?"--as well as sub-menu titles detailed hereinafter--in order to convey or evoke requests for characteristic geographic, temporal, topical, and accounting information.

Claim 31,

Delorme illustrates in fig. 9.

Claim 32,

DeLorme in fig. 9 illustrates speed and travel direction as detected and/or computed by the GPS attachment 908 on the remote WCU 907.

Claim 33,

The limitations of this claim are illustrated in fig. 5D, see the overview at right side of the fig. 5D, i.e. less detailed desired cartographic entity, and at left side of the fig. 5D shows similar with more detailed desired cartographic entity.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Javid A. Amini whose telephone number is 571-272-7654. The examiner can normally be reached on 8-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard A. Hjerpe can be reached on 571-272-7691. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Javid A Amini
Examiner
Art Unit 2672

Javid Amini

A handwritten signature in black ink, appearing to read "Javid Amini" with a stylized flourish at the end.